

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: CURTIS H KNAPP : Case No. 13-52934  
: Chapter 13  
Debtor(s) : Judge John E. Hoffman Jr.

**TRUSTEE'S MOTION TO MODIFY CHAPTER 13 PLAN**

**LR 9013-1 NOTICE -THE CHAPTER 13 TRUSTEE HAS FILED PAPERS WITH THE COURT TO MODIFY THE CHAPTER 13 PLAN IN THIS CASE. YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE. IF YOU DO NOT WANT THE COURT TO GRANT RELIEF SOUGHT IN THIS MOTION, THEN ON OR BEFORE TWENTY-ONE (21) DAYS FROM THE DATE SET FORTH IN THE CERTIFICATE OF SERVICE FOR THE MOTION, YOU MUST FILE WITH THE COURT A RESPONSE EXPLAINING YOUR POSITION. IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER THE ORDER GRANTING RELIEF WITHOUT FURTHER NOTICE OR HEARING. A TIMELY RESPONSE IS REQUIRED. YOU SHOULD SERVE YOUR RESPONSE AS REQUIRED BY LR 9013-1.**

Now comes Faye D. English, Chapter 13 Trustee, and moves this Court for Modifying Debtor's Chapter 13 Plan, pursuant to 11 U.S.C. § 1329(a) and Fed. R. Bankr. P. 3015. Support for this Motion is set forth below.

**MEMORANDUM IN SUPPORT**

Debtor's Chapter 13 Plan was confirmed on September 03, 2013, and provides for a dividend of 25% to unsecured creditors. The plan was previously modified 9/24/14 (doc # 46). The debtor(s) have reported to the Trustee that they have additional disposable income due to a tax refund. The Trustee seeks to administer the sum of \$780.00 from the debtor(s) 2015 tax refund and raise the dividend paid to unsecured creditors to 30.965%.

Wherefore, the Trustee respectfully requests that this Court enter an Order modifying the Plan as set forth above pursuant to 11 U.S.C. § 1329 and granting such other and further relief as the Court deems just and proper.

Respectfully Submitted,

/s/ Faye D. English

Faye D. English  
Chapter 13 Trustee  
10 West Broad Street, Suite 900  
Columbus, Ohio 43215-3449  
Telephone: 614-420-2555  
Facsimile: 614-420-2550

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the date shown below a copy of the Chapter 13 Trustee's Motion to Modify Chapter 13 Plan was served electronically on the Office of the United States Trustee and Debtor(s)' attorney, and on the Debtor(s) at the address as shown below by regular first class mail, postage prepaid.

2/19/2016

U.S. TRUSTEE

ROBERT J LEON ESQ

CURTIS H KNAPP  
107 DAVID SQUARE  
WESTERVILLE, OH 43081

/s/ Faye D. English

Faye D. English